

## **REMARKS**

Claims 1, 3-7 and 9-23 remain pending in the present application. Claims 2 and 8 have been cancelled. Claims 1, 3-5, 7, 11, 14, 17, 18, 20 and 21 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

## **DRAWINGS**

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Claim 18 defined the first end fitting as “connectable” to an axle assembly and not “connected to” as stated by the Examiner. Applicants have amended Claim 18 to define the first end fitting as being adapted to connect to an automobile vehicle. Applicants believe Figure 9 supports this claim language. Withdrawal of the objection is respectfully requested.

## **SPECIFICATION**

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. Applicants believe that the specification provides support in at least Figure 9 for the limitations of Claim 18. Withdrawal of the objection is respectfully requested.

## **REJECTION UNDER 35 U.S.C. § 112**

Claims 17-19 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

Applicant regards as the invention. Applicants have amended Claim 17 as well as Claim 1 to overcome the rejection. Reconsideration of the rejection is respectfully requested.

**REJECTION UNDER 35 U.S.C. § 102**

Claims 1-5, 10, 11, 13, 20, 21 and 23 are rejected under 35 U.S.C. § 102(b) as being anticipated by Faure (U.S. Pat. No. 3,706,362). Applicant respectfully traverses this rejection. Applicants have amended Claim 1 to include the limitations of Claim 2, a portion of the limitations of Claim 7 and the limitations of Claim 8.

Faure does not disclose, teach or suggest a threaded nut threadingly received on the pin which is operable to vary the preload.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 3-5 and 10, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Claim 2 has been cancelled. Reconsideration of the rejection is respectfully requested.

Claim 11 has been amended in a similar manner to Claim 1. Thus, Applicants believe Claim 11, as amended, patentably distinguishes over the art of record. Likewise, Claim 13, which depends from Claim 11, is also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claim 20 has been amended to include the step of rotating a nut to adjust the valves. Faure does not disclose, teach or disclose this feature. Thus, Applicants believe Claim 20, as amended, patentably distinguishes over the art of record.

Likewise, Claims 21 and 23, which depend from Claim 20 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claims 1-6, 10, 11, 13-16, 20 and 21 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ergun (U.S. Pat. No. 4,823,922). Applicants respectfully traverse this rejection. Applicants have amended Claim 1 to include the limitations of Claim 2, a portion of the limitations of Claim 7 and the limitations of Claim 8.

Ergun does not disclose, teach or suggest a threaded nut threadingly received on the pin which is operable to vary the preload.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 3-6 and 10, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Claim 2 has been cancelled. Reconsideration of the rejection is respectfully requested.

Claim 11 has been amended in a similar manner to Claim 1. Thus, Applicants believe Claim 11, as amended, patentably distinguishes over the art of record. Likewise, Claims 13-16, which depends from Claim 11, is also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claim 20 has been amended to include the step of rotating a nut to adjust the valves. Ergun does not disclose, teach or disclose this feature. Thus, Applicants believe Claim 20, as amended, patentably distinguishes over the art of record. Likewise, Claim 21, which depends from Claim 20 is also believed to patentably

distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claims 1-5, 7, 8, 10-17 and 19-22 are rejected under 35 U.S.C. § 102(b) as being anticipated by Peddinghaus, et al. (U.S. Pat. No. 4,085,925). Applicants respectfully traverse this rejection. Applicants have amended Claim 1 to include the limitations of Claim 2, a portion of the limitations of Claim 7 and the limitations of Claim 8. Amended Claim 1 defines a threaded nut threadingly received on the pin to vary the preload of the compressible device.

The Examiner has stated that Peddinghaus, et al. discloses a machine screw which is equivalent to a threaded nut. Applicants respectfully disagree with this interpretation of Peddinghaus, et al. Peddinghaus, et al. discloses a valve stem 30 which is similar to the pin defined by the present application. However, Applicants are unable to identify any disclosure within Peddinghaus, et al. which defines valve stem 30 as being a "machine bolt". A review of Figure 5 of Peddinghaus, et al. clearly indicates that valve stem 30 does not include threads of any kind and thus cannot be defined as a "machine bolt".

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 3-5, 7 and 10, which depend from Claim 1, are also believed to patentably distinguish over the art of record. Claims 2 and 8 have been cancelled. Reconsideration of the rejection is respectfully requested.

Claims 11 and 17 have been amended to include the same limitations of Claim 1 and are thus believed to patentably distinguish over the art of record. Likewise, Claims

12-16, which ultimately depend from Claim 11, are also believed to patentably distinguish over the art of record.

Claim 20 has been amended to include the step of rotating a nut to adjust the valves. Peddinghaus, et al. does not disclose, teach or suggest a threadable fastener. Thus, Applicants believe Claim 20, as amended, patentably distinguishes over the art of record. Likewise, Claims 21 and 22, which ultimately depend from Claim 20, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claims 17 and 18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Fader, et al. (U.S. Pat. No. 3,827,539). Claim 17 has been amended to include the limitations of Claim 2, a portion of the limitations of Claim 7 and the limitations of Claim 8.

Fader does not disclose, teach or suggest a threaded nut threadingly received on the pin which is operable to vary the preload.

Thus, Applicants believe Claim 17, as amended, patentably distinguishes over the art of record. Likewise, Claim 18, which depends from Claim 17, is also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Peddinghaus, et al. in view of Harper, et al. (U.S. Pat. No. 4,596,321). Claim 9 ultimately depends from Claim 1. As stated above, Claim 1 has been amended and is

now believed to patentably distinguish over the art of record. Thus, Claim 9 is also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By:   
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